

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

**IN THE MATTER OF:**

**JRMC REAL ESTATE, INC.  
ESCONDIDO RESEARCH &  
TECHNOLOGY CENTER  
WDID NO. 37S320081**

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**NOTICE OF VIOLATION  
NO. R9-2005-0181**

June 21, 2005

**YOU ARE HEREBY NOTIFIED THAT:**

JRMC Real Estate, Inc. (JRMC) continues to be in violation of Regional Board Cleanup and Abatement Order (CAO) No. R9-2004-0420 Directives 4 through 7. Such violations subject JRMC to possible enforcement action by the Regional Board, including administrative enforcement orders requiring JRMC to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative civil liability in amounts of up to \$5,000 per day per violation; referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

**SUMMARY OF VIOLATIONS:**

- 1. Failure to monitor at all locations and for all constituents during all "significant rainfall events."**
  - a. Directive No. 4 of the CAO requires that samples "shall be collected during the first two hours and after every significant rainfall event (where storm water runoff discharges from the project)."
  - b. Directive No. 4.a. of the CAO requires that "[a]t a minimum, grab samples shall be collected at discharge points to Vineyard Street, Enterprise Street, Andreasen Drive, Harmony Grove Road, and Allenwood Lane."
  - c. Directive No. 4.b. of the CAO requires that samples "shall be analyzed for (1) Total Suspended Solids, (2) Settleable Solids, (3) Suspended Sediment Concentration, and (4) Turbidity using appropriate analytical methods."
- 2. Failure to assess BMPs after significant rainfall events.**

Directive 5 of the CAO requires that JRMC immediately assess site erosion and sediment control Best Management Practices (BMPs) after each significant rainfall event.
- 3. Failure to submit significant rainfall event reports.**

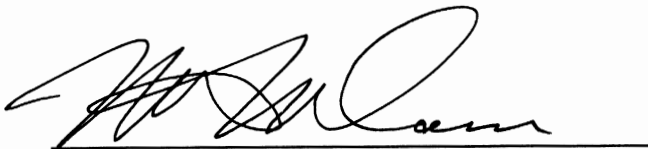
Directive 6 of the CAO requires JRMC to report within seven days of significant rainfall events its findings and compliance with Order No. 99-08-DWQ, the General Construction Storm Water Permit.
- 4. Failure to submit report signed under penalty of perjury.**

Directive 7 of the CAO requires JRMC to sign under penalty of perjury all reports submitted pursuant to the CAO.

**JRMC Real Estate, Inc.****Escondido Research & Technology Center**

Since the issuance of the CAO on November 9, 2004, the Regional Board received on May 6, 2005, one significant rainfall event report for the April 28-29, 2005 rainfall event. The CAO broadly defines "significant rainfall event" as one "where storm water runoff discharges from the project." The Regional Board, as well as neighbors to JRMC's Escondido Research and Technology Center (ERTC) site documented numerous runoff discharge events from the site since the issuance of the CAO. During this period, there were at least four rainfall events greater than one inch for which JRMC submitted only one report. The May 6, 2005 report stated that samples were taken. The report failed however to supply any monitoring results in violation of CAO directive 6.d.

On May 24, 2005, the Regional Board received via e-mail a summary of sample analysis results for the ERTC construction site. The submittal consisted of the following: (1) a spreadsheet summarizing the sample results including the date taken, sample ID, constituent, and concentration; (2) a sampling location map identifying three of five sampling locations; and (3) six Associated Laboratories reports. Based upon the information provided, the Regional Board is unable to determine whether samples were taken during and after all the significant rainfall events. For instance, the sample results submitted on May 24, 2005 identified that samples were taken in the vicinity of Vineyard Street (February 22, 2005, March 7 and 23, 2005), Enterprise Street (February 22, 2005, March 17, and 23, 2005), and Harmony Grove Road (February 3, 11, and 22, 2005, and March 2, 2005, and April 20, 2005). No samples results, however, were shown for Andreasen Drive and Allenwood Lane. Sample results were reported for sample locations D-5 and D-6. There was no indication on a site map to indicate where the samples were taken. Furthermore, the scale of the site location map provided was too large to allow determination of even an approximate sample location. In addition to the site map, the results did not provide a narrative description of the sample location, who and how the samples were taken or other information that would be needed to evaluate the data. Finally, the sample results submitted on May 24, 2005 failed to display any sample results for Settleable Solids and Suspended Sediment Concentration at any location.

**MICHAEL P. MCCANN, P.E.****Supervising Water Resource Control Engineer**